

UNITED STATES DISTRICT COURT
for the

AUG 29 2017

Middle District of Tennessee

BY _____

DEPUTY CLERK

United States of America

v.

CARLOS OCHOA

Case No.

17 MJ-1205

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 15, 2016 in the county of Nashville in the
Middle District of Tennessee, the defendant(s) violated:

Code Section

Offense Description

Title 21, United States Code,
Section 841(a)(1) Possession with the intent to distribute cocaine

This criminal complaint is based on these facts:

See attached STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT

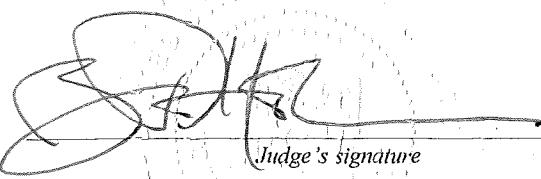
 Continued on the attached sheet.


Complainant's signature

Bradley Gant, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: August 29, 2017


Judge's signature

Barbara D. Holmes, United States Magistrate Judge

Printed name and title

City and state: Nashville, Tennessee

STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT

I, Brad Gant, being first duly sworn on oath, state as follows:

Introduction

1. I am a Special Agent with Homeland Security Investigations (HSI), and have been so employed since May 2010. I am currently assigned to the Nashville Field Office.

2. This affidavit is submitted in support of a Criminal Complaint for the arrest of Carlos OCHOA-Martinez for possession of a controlled substance, to wit cocaine, with intent to distribute, on March 15, 2016, in violation of Title 21, United States Code, Section 841(a)(1).

3. The following information contained in this statement is based on my training and experience and information provided to me by other law enforcement officials. Not all of the facts of the investigation known to me are contained herein, only those necessary to establish probable cause for the arrest of Carlos OCHOA-Martinez. Where conversations are related herein, they are related in substance and in part.

Probable Cause

4. On March 15, 2016, officers with the Metropolitan Nashville Police Department (MNPD) were executing a search warrant at 326 Paragon Mills Road in Nashville, Tennessee. As detectives arrived at this location, detectives encountered OCHOA-Martinez in a vehicle. Officers activated their emergency equipment, and OCHOA-Martinez ignored repeated commands to stop and exit his vehicle.

5. OCHOA-Martinez fled the scene at a high rate of speed and turned left onto Jonquil Drive in Nashville. According to the Vehicle Damage and Roadway Characteristics

Report, OCHOA-Martinez exceeded the capacity to turn left. OCHOA-Martinez's vehicle left curved yaw marks and traveled across Jonquil Drive before the vehicle struck a tree and overturned on top the passenger side.

6. A civilian witness saw OCHOA-Martinez kick out the rear window of the vehicle in order to exit the vehicle. Additional civilian witnesses reported to officers that they saw OCHOA-Martinez run from the scene of the accident. One witness reported seeing OCHOA-Martinez flee with a bag. Officers apprehended OCHOA-Martinez shortly thereafter approximately a half of a mile from where the accident occurred. Officers transported OCHOA-Martinez to the Metro-Nashville General Hospital for treatment.

7. Officers searched the scene of the accident and located an eye glass case. This case was still dry to the touch and found near a creek close to the crash site. Next to the glasses case, the officers recovered a black shirt with white writing which another officer identified as a shirt worn by the driver of the crashed vehicle. Approximately 49 grams of cocaine were recovered from the eye glass case. This substance was submitted to the Tennessee Bureau of Investigation and 28.07 grams were confirmed to be cocaine while the remainder of the cocaine was not tested. OCHOA-Martinez subsequently admitted to detectives that he lost a bag and he sells cocaine.

8. All of the described events occurred in Nashville, Davidson County, located in the Middle District of Tennessee.

Conclusion

9. Based on the information contained herein, your affiant believes that probable cause exists to support the issuance of a criminal complaint for the arrest of Carlos OCHOA-Martinez for the March 15, 2016 offense stated herein.